THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21034 of 2001

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in granting Eksal permission to fourth respondent for cultivating the land to an extent of Ac.1-50 cents of Vagu Poramboku in Survey Nos.338 and 339 of Pidur village, Manubolu mandal, Nellore district as illegal and arbitrary.

It appears, petitioner is an agriculturist and owns land near Kandaleru vagu and a bund is situated in between Kandaleru vagu and the lands of the petitioner. The said bund is the only way through which the petitioner can enter into her fields for the purpose of cultivation. While so, the third respondent granted Eksal permission in favour of fourth respondent for cultivation of lands located between Kandaleru Vagu and the lands of the petitioner. The fourth respondent undertaken cultivation of the said land. According to the petitioner, such cultivation is causing obstruction to enter into her own lands and cultivate the same. Further as per the Board Standing Order No.15, there is a prohibition for granting Eksal permission of tank bund lands. Thus, the sum and substance of the complaint of the petitioner is that she is not able to enter her own lands.

The fourth respondent filed a counter denying the allegations made by the petitioner and asserted that she never entered respondent's lands, she reaches her land through a rastha from "Bangaramma Cheruvu Katta" which is on the western side of her land.

In view of the above, without expressing any opinion on merits, the petitioner is directed to file a detailed representation before the

second respondent. On filing such representation, the second respondent shall entertain the same and after causing due enquiry and calling for the report of the Revenue Inspector concerned, pass appropriate orders as per law, within a period of two months from the date of filing such representation.

With the above directions, the writ petition is disposed of.

No order as to costs.

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C.V.RAMULU,
J

Date: 24.11.2006

Note:
Issue C.C. in one week.
B/o
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21034 of 2001

24.11.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21034 of 2001

Date: 24th November, 2006

Between:

Jallella Nirmala

.. Petitioner

And

The Executive Engineer,
Irrigation Department, Nellore Irrigation Circle,
Gudur Town & Mandal, Nellore district 7 others.

.. Respondents